

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JACK MAES,

Plaintiff,

vs.

Civ. No. 02-196 JP/WWD

CITY OF LAS VEGAS, et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon Defendant City of Las Vegas's Motion to Compel Plaintiff's Response to Defendant City of Las Vegas's First Set of Interrogatories and First Set of Requests for Production of Documents [docket no. 37] filed November 5, 2002. No response has been filed to the motion. At this time, Plaintiff is proceeding pro se since his previous counsel of record was allowed to withdraw as of November 22, 2002, and no other attorney has entered an appearance on behalf of Plaintiff.

On or before JANUARY 23, 2003, Plaintiff shall serve full and complete answers to Interrogatories Nos. 1, 3, 4, 8, 11, 16, 20, 22, 24, and Plaintiff shall make production in accordance with the documents sought in Requests for Production Nos. 1 through 12, indicating which documents are being tendered as being responsive to which request for production. In the event that either a full answer to an interrogatory or full production to a request for production has been made previously, Plaintiff should so indicate, stating that no further response or production will be made in a specific instance.

Failure to respond to discovery requests can result in dismissal of this cause. Furthermore, failure to respond to motions filed by Defendants can raise a question as to whether Plaintiff might be subject to involuntary dismissal of his complaint pursuant to Fed. R. Civ. P. 41(b) for failure to prosecute the action. In the event that Plaintiff has decided to abandon this complaint, he should so notify the Court without delay.

This cause shall proceed in accordance with the foregoing.

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE